



BOARD OF ZONING ADJUSTMENT APPLICATION

City of Columbus, Ohio • Department of Building & Zoning Services
757 Carolyn Avenue, Columbus, Ohio 43224 • Phone: 614-645-7433 • www.columbus.gov

OFFICE USE ONLY

Application Number: #13310-00000-00735
Date Received: 2 Oct. 2013
Commission/Civic: N/A
Existing Zoning: _____ Application Accepted by: AF Fee: \$315
Comments: _____

TYPE(S) OF ACTION REQUESTED

(Check all that apply)

☒ Variance ☐ Special Permit

Indicate what the proposal is and list applicable code sections.

PAID
OCT 02 2013

LOCATION

1. Certified Address Number and Street Name 3400 Lindstrom Dr.
City Columbus State OH Zip 43228
Parcel Number (only one required) 570-222063

BUILDING & ZONING SERVICES

APPLICANT: (IF DIFFERENT FROM OWNER)

Name _____
Address _____ City/State _____ Zip _____
Phone # _____ Fax # _____ Email _____

PROPERTY OWNER(S):

Name Brooke A Hess
Address 3400 Lindstrom Dr. City/State Columbus Zip OH
Phone # (330) 701-5221 Fax # _____ Email bhess4@gmail.com
☐ Check here if listing additional property owners on a separate page.

ATTORNEY / AGENT (CHECK ONE IF APPLICABLE)

☐ Attorney ☐ Agent

Name _____
Address _____ City/State _____ Zip _____
Phone # _____ Fax # _____ Email: _____

SIGNATURES (ALL SIGNATURES MUST BE PROVIDED AND SIGNED IN BLUE INK)

APPLICANT SIGNATURE _____
PROPERTY OWNER SIGNATURE Brooke A Hess
ATTORNEY / AGENT SIGNATURE _____

PLEASE NOTE: incomplete information will result in the rejection of this submittal.
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Please make all checks payable to the Columbus City Treasurer



13310-00000-00735

3400 LINDSTROM

CITY OF COLUMBUS

DEPARTMENT OF BUILDING AND ZONING SERVICES

One Stop Shop Zoning Report Date: Wed Oct 23 2013

General Zoning Inquiries: 614-645-8637

SITE INFORMATION

Address: 3400 LINDSTROM DR COLUMBUS, OH

Mailing Address: 3400 LINDSTROM DR
COLUMBUS OH 43228

Owner: HESS BROOKE A

Parcel Number: 570222063

ZONING INFORMATION

Zoning: Z88-3041, Residential, LR2
effective 7/24/1989, Height District H-35

Board of Zoning Adjustment (BZA): N/A

Commercial Overlay: N/A

Graphic Commission: N/A

Area Commission: N/A

Planning Overlay: N/A

Historic District: N/A

Historic Site: No

Council Variance: N/A

Flood Zone: OUT

Airport Overlay Environs: N/A

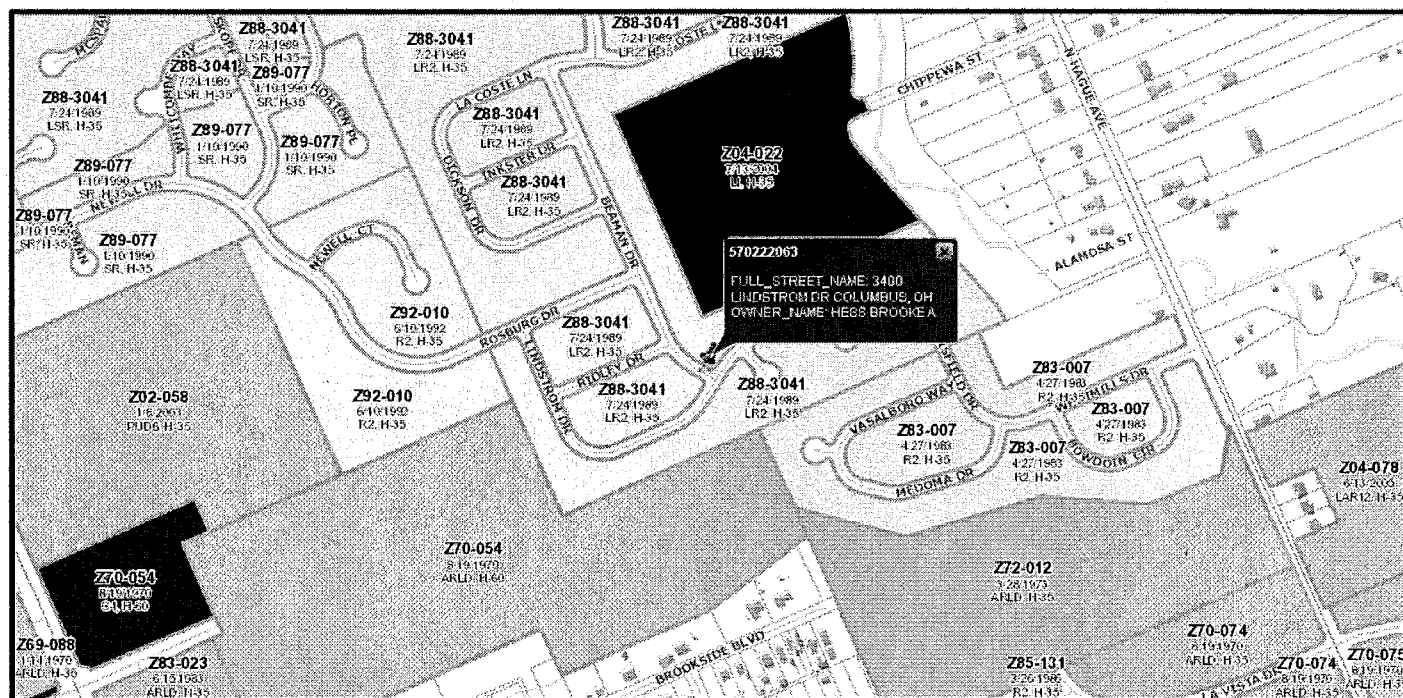
PENDING ZONING ACTION

Zoning: N/A

Board of Zoning Adjustment (BZA): N/A

Council Variance: N/A

Graphic Commission: N/A





City of Columbus
Mayor Michael B. Coleman

Department of Development

Steven R. Schoeny, Director

Date of Service/Posting _____

Order Number: 13470-03689

Parcel Number:

BROOKE A HESS
3400 LINDSTROM DR
COLUMBUS OH 43228

13310-00000-00735
3400 LINDSTROM

ZONING CODE VIOLATION ORDER

An inspection has been made at 3400 LINDSTROM on July 26, 2013.

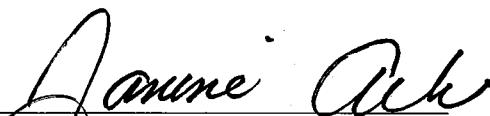
As provided by the Columbus City Code you are hereby given notice to correct the alleged violations listed below within 30 calendar days of the service of this notice unless otherwise noted in this notice, or an approval for a written request for extension is granted by this office.

Note: Failure to comply with this notice is a Misdemeanor of the Third Degree and may be punishable by a \$500 fine and sixty (60) days imprisonment.

If the facts represented here are incorrect, or if you believe the law is not being interpreted properly, you have the basis for an appeal. If you believe an appeal is in order, call the undersigned Property Maintenance Inspector. Pursuant to the Columbus City Code Section 3307.07: The Board of Zoning Adjustment shall not entertain any appeal applied for more than twenty (20) days after the date of this order. Also pursuant to Columbus City Code Section 3307.11: Said appeal shall be submitted on a form provided for that purpose and filed in the office of the Department of Building and Zoning Services.

For further information on this notice contact the undersigned Code Enforcement Officer.

SEE LIST OF VIOLATIONS ON THE ATTACHED PAGE(S)

by 

Janine Aeh Code Enforcement Supervisor
Code Enforcement Officer
(614) 645-3294
jaeh@columbus.gov

ZC-7
REV 09/09

07262013

ITEM#	CODE SECTION	COMMENTS
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Zoning Violations**1 3321.05 Vision Clearance**

The following condition is in violation of the vision clearance standards:

Fence exceeding 30" or 2.5 feet in height on a residential lot abutting a vehicular access

Clear vision for other driveways.

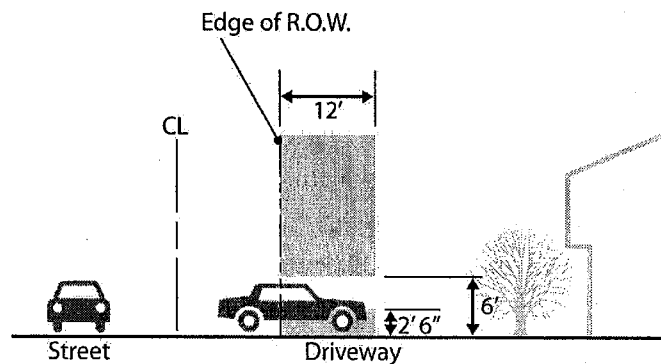
An owner shall maintain vision clearance on each residential lot abutting a street and having access thereto or abutting such access. No portion of a fence or wall exceeding two and one-half feet in height above the finished lot grade shall exceed 25 percent opacity when located in a required yard having vehicular access to a street or abutting such access.

Mature plantings with foliage between two and one-half and six feet above the finished lot grade shall extend no closer than 12 feet to the street right-of-way line. The percentage of opacity shall be determined by measurement of any typical square foot of the vertical surface of the fence or wall from a point perpendicular thereto. See Figures 2 and 3. A motor vehicle parked in a driveway shall extend no closer than ten feet to the street right-of-way line.

13310-00000-00735
3400 LINDSTROM

3321.05 VISION CLEARANCE

Clear vision for other driveways. An owner shall maintain vision clearance on each residential lot abutting a street and having **access** thereto or abutting such **access**. No portion of a fence or wall exceeding two and one-half feet in height above the finished lot grade shall exceed 25 percent opacity when located in a required yard having **vehicular access** to a street or abutting such **access**. Mature plantings with foliage between two and one-half and six feet above the finished lot grade shall extend no closer than 12 feet to the street right-of-way line. The percentage of opacity shall be determined by measurement of any typical square foot of the vertical surface of the fence or wall from a point perpendicular thereto. See Figures 2 and 3. A motor vehicle parked in a driveway shall extend no closer than ten feet to the street right-of-way line.



BROOKE

You may go on line to obtain an Appeal Application by accessing the City of Columbus Ohio. 1) Scroll down and select Building and Zoning Services, 2) then scroll and select Zoning, 3) then scroll to Forms and Applications. The application form for the BZA Appeals ~~will~~ appear.

You will need to bring this form in to 757 Carolyn Avenue, Columbus, Ohio 43224

Enter the two story building on the north side and go up the stairs. The Zoning counter will be located at the top of the stairs.

You may also want to apply for a variance (a change to the code standard for hardship reasons). Discuss this with someone when you bring in your application. The Zoning Information Number: 645-8637



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13310-00000-00735
3400 LINDSTROM

AFFIDAVIT

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Brooke Allison Hess Incarnato
of (1) MAILING ADDRESS: 3400 Lindstrom Drive Columbus, OH 43228
deposed and states that (he/she) is the applicant, agent, or duly authorized attorney for same and the following is a list of the
name(s) and mailing address(es) of all the owners of record of the property located at
(2) per ADDRESS CARD FOR PROPERTY
for which the application for a rezoning, variance, special permit or graphics plan was filed with the Department of Building
and Zoning Services, on (3) _____

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME
AND MAILING ADDRESS

(4) Brooke Allison Hess
3400 Lindstrom Dr.
Columbus, OH 43228

APPLICANT'S NAME AND PHONE #
(same as listed on front of application)

AREA COMMISSION OR CIVIC GROUP
AREA COMMISSION ZONING CHAIR OR
CONTACT PERSON AND ADDRESS

(5) N/A

and that the following is a list of the names and complete mailing addresses, including zip codes, as shown on the County Auditor's Current Tax List or the County Treasurer's Mailing List, of all the owners of record of property within 125 feet of the exterior boundaries of the property for which the application was filed, and all of the owners of any property within 125 feet of the applicant's or owner's property in the event the applicant or the property owner owns the property contiguous to the subject property:

(6) PROPERTY OWNER(S) NAME (6A) ADDRESS OF PROPERTY (6B) PROPERTY OWNER(S) MAILING ADDRESS

☒ (7) Check here if listing additional property owners on a separate page.

SIGNATURE OF AFFIANT

Subscribed to me in my presence and before me this 30 day of September, in the year 2013

SIGNATURE OF NOTARY PUBLIC

My Commission Expires:

(8)

Notary Seal Here

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STATEMENT OF HARDSHIP

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3400 LINDSTROM

APPLICATION # 13310-00735

3307.09 Variances by Board.

- A. The Board of Zoning Adjustment shall have the power, upon application, to grant variances from the provisions and requirements of this Zoning Code (except for those under the jurisdiction of the Graphics Commission and except for use variances under the jurisdiction of the Council). No variance shall be granted unless the Board finds that all of the following facts and conditions exist:
1. That special circumstances or conditions apply to the subject property that does not apply generally to other properties in the same zoning district.
 2. That the special circumstances or conditions are not the result of the actions of the property owner or applicant.
 3. That the special circumstances or conditions make it necessary that a variance be granted to preserve a substantial property right of the applicant which is possessed by owners of other property in the same zoning district.
 - ④. That the grant of a variance will not be injurious to neighboring properties and will not be contrary to the public interest or the intent and purpose of this Zoning Code.
- B. In granting a variance, the Board may impose such requirements and conditions regarding the location, character, and other features of the proposed uses or structures as the Board deems necessary to carry out the intent and purpose of this Zoning Code and to otherwise safeguard the public safety and welfare.
- C. Nothing in this section shall be construed as authorizing the Board to affect changes in the Zoning Map or to add to the uses permitted in any district.

I have read Section 3307.09, Variances by Board, and believe my application for relief from the requirements of the Zoning Code satisfies the four criteria for a variance in the following ways:

Statement typed on separate page.

Signature of Applicant

Brooke A. H. Incarnato Date 10/1/13

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I am submitting this application for a variance in response to a zoning code violation order in regards to zoning code section 3321.05 Vision Clearance. As shown in the submitted drawings, there is a total of 181 feet from the corner to my neighbor's driveway. Both the sidewalk and my neighbor's driveway are visible from the corner; therefore, the driveway is visible at a distance of 181 feet. Furthermore, the driveway is located 63 feet from the end of my fence. Given the 25 mile per hour speed limit in my neighborhood, the driveway's distance and visibility from the corner, and the distance from my fence to the driveway, the fence is not causing a hazardous obstruction for drivers or pedestrians. In addition to the distances, one can see directly through the entire fence, so my neighbor's driveway is still visible through both sides of the fence from the parallel street/sidewalk. The fencing boards have one and three-quarter inch spacing, making it possible to see through. Due to unlevel ground, the height of the fence varies from 49 inches to 61.5 inches. The fence was built for our dogs to have a safe space to run while containing them in our yard; therefore, we built the fence around 5 feet to add to the dogs' security. In looking at the information provided for the Columbus Zoning Code, item #4 states that the purpose of the zoning codes in a front yard is to "ensure the vehicle operator can see other vehicles and pedestrians." Our fence does not obstruct the ability to see pedestrians, and it allows a driver to see my neighbor's driveway as well. A vehicle operator can see other vehicles and pedestrians with our fence in its current location.

13310-00000-00735
3400 LINDSTROM



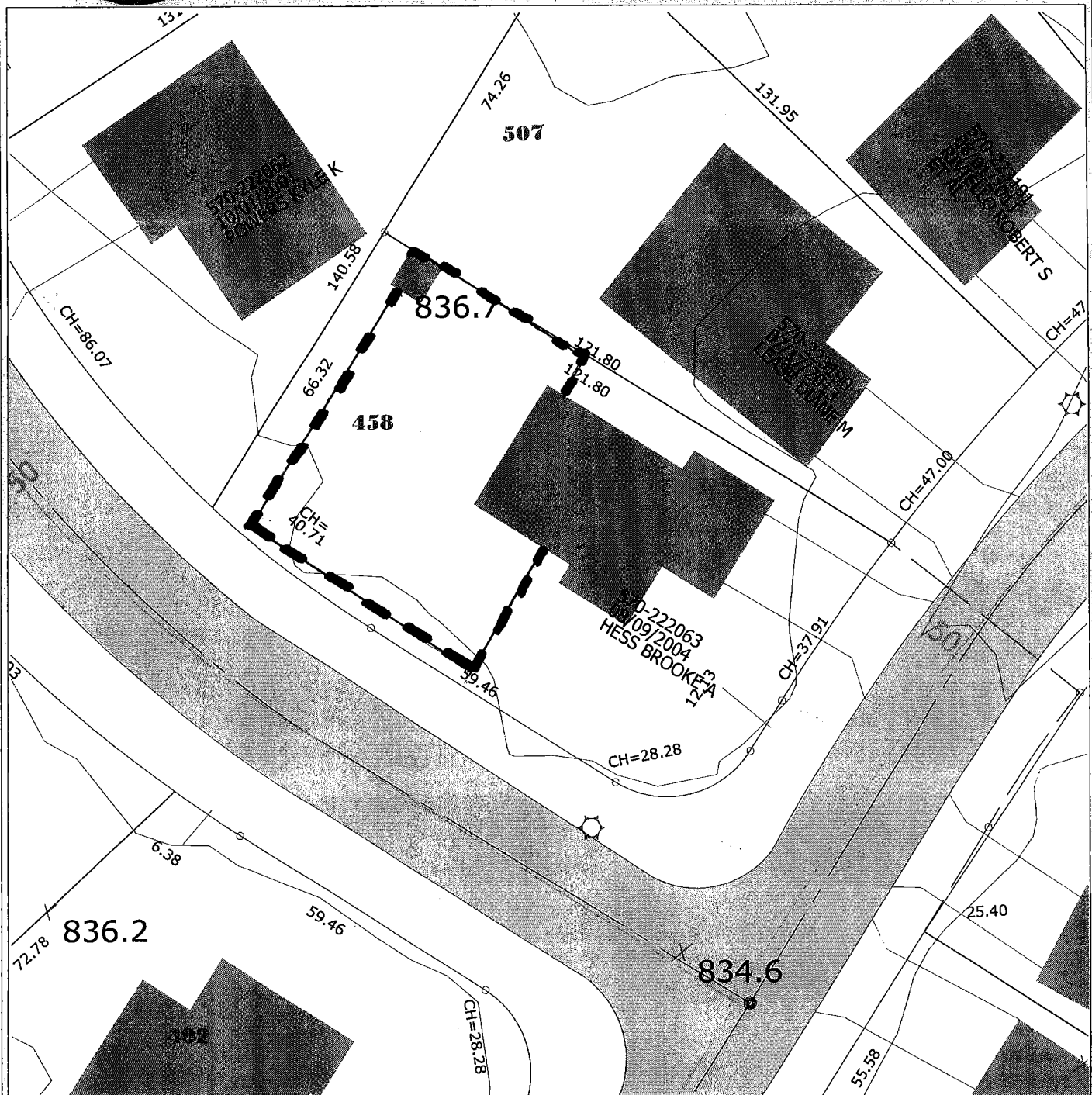
CLARENCE E MI FRANKLIN COUNTY

13310-00000-00735

3400 LINDSTROM

MAP ID: C

DATE: 9/9/13



Disclaimer

Scale = 30



This map is prepared for the real property inventory within this county. It is compiled from recorded deeds, survey plats, and other public records and data. Users of this map are notified that the public primary information sources should be consulted for verification of the information contained on this map. The county and the mapping companies assume no legal responsibilities for the information contained on this map. Please notify the Franklin County GIS Division of any discrepancies.

Real Estate / GIS Department



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PROJECT DISCLOSURE STATEMENT

Parties having a 5% or more interest in the project that is the subject of this application.

THIS PAGE MUST BE FILLED OUT COMPLETELY AND NOTARIZED.
provided.

13310-00000-00735

APPLICATION

3400 LINDSTROM

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Brooke Allison Hess Incarnato
of (COMPLETE ADDRESS) 3400 Lindstrom Drive Columbus, OH 43228
deposes and states that (he/she) is the APPLICANT, AGENT OR DULY AUTHORIZED ATTORNEY FOR SAME and the following is a list of all persons, other partnerships, corporations or entities having a 5% or more interest in the project which is the subject of this application and their mailing addresses:

NAME

COMPLETE MAILING ADDRESS

SIGNATURE OF AFFIANT

Brooke A. Hess Incarnato

Subscribed to me in my presence and before me this 30 day of September, in the year 2013

SIGNATURE OF NOTARY PUBLIC

Patricia N. Whitaker

My Commission Expires:

10/26/2015

Notary Seal Here

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